

## **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith. The present amendment is being made to facilitate prosecution of the application.

### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1-13, 15, and 17-24 are pending. Claims 1-4, 6, and 8 are independent. Claims 1-6 and 8 are hereby amended. Support for this amendment is provided throughout the Specification as originally filed, and specifically at pages 11-12. No new matter has been introduced by this amendment. Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

### **II. REJECTIONS UNDER 35 U.S.C. §102(e)**

Claims 4-5 and 7 were rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 6,807,285 to Iwamura (hereinafter, merely “Iwamura”).

Claim 4 recites, *inter alia*:

“... means for embedding unique identification information which uniquely identifies said image file into a non-displayable portion of said image file;”(Emphasis added)

As understood by Applicants, Iwamura relates to a data processing apparatus which has a first embedding unit adapted to embed first information in digital image data in accordance with a first embedding method which utilizes publicly available information. The

apparatus also has a second embedding unit adapted to embed second information in the digital image data having the first information embedded therein in accordance with a second embedding method which utilizes secret information that is not made publicly available, the second information being used to detect whether the first information is altered.

Applicants respectfully submit that nothing has been found in Iwamura that would teach or suggest the above-identified feature of claim 4. Specifically, Iwamura does not teach or suggest means for embedding unique identification information which uniquely identifies said image file into a non-displayable portion of said image file;, as recited in claim 4.

Therefore, Applicants respectfully submit that claim 4 is patentable.

### III. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1-3 and 6 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Iwamura in view of U.S. Patent 6,141,010 to Hoyle (hereinafter, merely “Hoyle”).

Claims 8-13, 15, 17 and 19-24 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Hoyle and Iwamura.

Claim 18 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Hoyle and Iwamura in view of U.S. Patent 5,809,242 to Shaw et al. (hereinafter, merely “Shaw”).

Claim 1 recites, *inter alia*:

“... means for embedding unique identification information which uniquely identifies said image file into a non-displayable portion of said image file;”(Emphasis added)

As understood by Applicants, Hoyle relates to a method and apparatus for providing an automatically upgradeable software application that includes targeted advertising based upon demographics and user interaction with the computer.

As understood by Applicants, Shaw relates to a system for providing scheduled messages to a remote user in a batch oriented system.

Applicants respectfully submit that nothing has been found in Iwamura or Hoyle that would teach or suggest the above-identified feature of claim 1. Specifically, neither Iwamura nor Hoyle, alone or in combination, teach or suggest means for embedding unique identification information which uniquely identifies said image file into a non-displayable portion of said image file, as recited in claim 1.

Applicants respectfully submit that Shaw fails to provide any relevant teaching, suggestion, or motivation.

Therefore, Applicant respectfully submits that claim 1 is patentable.

Claims 2-3, 6, and 8 are similar, or somewhat similar, in scope to claim 1 and are therefore patentable for similar, or somewhat similar, reasons.

#### IV. DEPENDENT CLAIMS

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

**CONCLUSION**

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited references, it is respectfully requested that the Examiner specifically indicate those portions of the references providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Applicant respectfully submits that all of the claims are in condition for allowance and requests early passage to issue of the present application.

Respectfully submitted,

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